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IN THE SUPREME COURT

STATE OF ARIZONA

Sua Sponte Petition to Amend)
Rule 31.13(f), Arizona Rules of) Arizona Supreme Court
Criminal Procedure) No. _____
_____)

Pursuant to Rule 28(B) of the Rules of the Supreme Court, the following amendment to Rule 31.13(f), Arizona Rules of Criminal Procedure, is proposed. This proposed amendment will allow additional time necessary for preparing briefs in direct appeals in capital cases.

f. Capital Cases.

(1) *Time for Filing.* In capital cases, the appellant's opening brief shall be filed within ~~70 days after the mailing of the notice as provided for by Rule 31.10.~~ 90 days after notice from the court that the record is complete. The appellee's brief shall be filed within ~~40~~ 60 days after service of the appellant's brief. Appellant's reply brief shall be filed within ~~20~~ 30 days after service of appellee's brief.

DATED this _____ day of October, 2009.

By:

Donna Hallam, Staff Attorney
Arizona Supreme Court